

United States District Court  
Western District of Oklahoma

Brandon Shane Harris,  
ODOC 854702,  
Plaintiff,

**CIV 22 230 G**

v.

FNU Kushner, FNU Henderson,  
FNU Vajilo, FNU Slonker,  
David Bowers, FNU Poirat,  
FNU Berger, FNU Greer,  
FNU Garcia, FNU Funk,  
FNU Scholer, FNU Davis,  
FNU Poirer, FNU Holberry,  
FNU Kenelle, FNU Con,  
FNU Sias, FNU Rast,  
FNU Windham, FNU Rhoads,  
William (Buddy) Honaker,  
Defendants.

**FILED**

MAR 21 2022

CARMELITA REEDER SHINN, CLERK  
U.S. DIST. COURT, WESTERN DIST. OKLA.  
BY ASJ DEPUTY

Pro Se Prisoner Civil Rights Complaint

Plaintiff

Brandon Shane Harris

Doc 854702

216 N. Murray St

- If the court grants your request, the \$50 administrative fee will not be assessed and your total filing fee will be \$350.
- You will be required to make an initial partial payment, which the court will calculate, and then prison officials will deduct the remaining balance from your prison accounts over time.
- These deductions will be made until the entire \$350 filing fee is paid, regardless of how the court decides your case.

7. The Court will review your complaint before deciding whether to authorize service of process on the defendants. See 28 U.S.C. §§ 1915(e)(2), 1915A; 42 U.S.C. § 1997e(c)(1). If the Court grants such permission, the Clerk will send you the necessary instructions and forms.

8. If you have been granted permission to proceed *in forma pauperis*, the United States Marshals Service will be authorized to serve the defendants based on information you provide. If you have not been granted permission to proceed *in forma pauperis*, you will be responsible for service of a separate summons and copy of the complaint on each defendant in accordance with Rule 4 of the Federal Rules of Civil Procedure.

### COMPLAINT

I. Jurisdiction is asserted pursuant to:

✓ 42 U.S.C. § 1983 and 28 U.S.C. § 1343(a)(3) (NOTE: these provisions generally apply to state prisoners), or

       *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), and 28 U.S.C. § 1331 (NOTE: these provisions generally apply to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

U.S. Const. amds. 1, 8 and 14; OKla. Const. art. 2 § 9.  
• First Amendment Free Speech, and to Petition for Redress  
• Eighth Cruel and Unusual Punishment  
• Fourteenth Due Process

**II. State whether you are a:**

- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Pretrial detainee
- ☐ Immigration detainee
- ☐ Civilly committed detainee
- ☐ Other (please explain) \_\_\_\_\_

**III. Previous Federal Civil Actions or Appeals**

List each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility.

## 1. Prior Civil Action/Appeal No. 1

## a. Parties to previous lawsuit:

Plaintiff(s): Branden Shane Harris

Defendant(s): Chris West

b. Court and docket number: CIV-19-185-R

c. Approximate date of filing: 2019

d. Issues raised: Housing Conditions, and other issues  
violating U.S. Const. Amd 8, 14.

e. Disposition (for example: Did you win? Was the case dismissed? Was summary judgment entered against you? Is the case still pending? Did you appeal?): \_\_\_\_\_

Dismissed without prejudice

f. Approximate date of disposition: 2020

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on a separate sheet(s).

Parties

1. Plaintiff, Brandon Shane Harris, at all times relevant this action was an inmate in the custody of the Oklahoma Department of Corrections (DOC)

---

2. Unless otherwise noted, all Defendants are sued in their Individual Capacity.
3. The Lawton Correctional Facility (LCF), in Lawton, Oklahoma, is a privately operated prison facility contracted with the Oklahoma Department of Corrections (DOC) through LCF's parent company, GEO Group, Inc. (GEO Group)
4. GEO Group contracts with Correct Care Solutions to provide medical care to Inmates at LCF.

---

5. Defendant, FNU Kushner, at all times relevant to this action, was a Nurse at the LCF.
6. Defendant, FNU Henderson, at all times relevant to this action, was a nurse at the LCF.
7. Defendant, FNU Vajilo, at all times relevant to this action, was a SHU Officer at LCF

8. Defendant, FNU Slonker, at all times relevant to this action, was an Officer at LCF, who spent a lot of time at SHU,
9. Defendant, David Bowers, at all times relevant to this action was LCF Warden.
10. Defendant, FNU Poirot, at all times relevant to this action, was a LCF Lieutenant.
11. Defendant FNU Berger, at all times relevant to this action, was an Officer at LCF.
12. Defendant, FNU Greer, at all times relevant to this action, was an officer at LCF.
13. Defendant, FNU Garcia, at all times relevant to this action, was an Officer at LCF.
14. Defendant, FNU Funk, at all times relevant to this action, was a nurse at LFC.
15. Defendant, FNU Scholer, at all times relevant to this action, was an Officer at LCF.

16. Defendant, FNU Davis, at all times relevant to this action, an Officer at LCF.
17. Defendant, FNU Poirer, at all times relevant to this action, a Lieutenant at LCF.
18. Defendant, FNU Holberry, at all times relevant to this action, was a Nurse at LCF.
19. Defendant, FNU Kenelle, at all times relevant to this action, was a Mental Health Nurse at LCF.
20. Defendant, FNU Con, at all times relevant to this action was a Treating Physician at LCF, treating Inmates.
21. Defendant, FNU Sias, at all times relevant to this action, was Medical Director at LCF.
22. Defendant FNU Rast, at all times relevant to this action, was an Officer at LCF.
23. Defendant FNU Windham, at all times relevant to this action, was an Officer at LCF.

24. Defendant, FNU Rhoads, at all times relevant to this action, was the Law Librarian at LCP

25. Defendant, William (Buckley) Honaker, was at all times relevant to this action the grievance coordinator.

6. Do not include claims relating to your criminal conviction or to prison disciplinary proceedings that resulted in loss of good time credits.

- If a ruling in your favor "would necessarily imply the invalidity" of a criminal conviction or prison disciplinary punishment affecting the time served, then you cannot make these claims in a civil rights complaint unless you have already had the conviction or prison disciplinary proceeding invalidated, for example through a habeas proceeding.

#### Claims

List the federal right(s) that you believe have been violated, and describe what happened. Each alleged violation of a federal right should be listed separately as its own claim.

1. Claim 1:

(1) List the right that you believe was violated:

Deliberate Indifference to serious  
medical needs.

(2) List the defendant(s) to this claim: (If you have sued more than one defendant, specify each person or entity that is a defendant for this particular claim.)

All Defendants listed under  
"Parties" above



(3) List the supporting facts:

This matter began with DOC medical staff refusing to provide easy treatment (a simple "diabetic snack") to curtail an a currently flair of diabetic episode

(4) Relief requested: (State briefly exactly what you want the court to do for you.)

compensatory damages

2. Claim II:

(1) List the right that you believe was violated:

Retaliation for Demanding Medical Care

(2) List the defendant(s) to this claim: (If you have sued more than one defendant, specify each person or entity that is a defendant for this particular claim.)

All Defendants listed under "Parties" above

(3) List the supporting facts:

After Plaintiff sought help with a currently  
occurring diabetic incident, nurse simply  
walking away in arrogance, leaving Plaintiff  
to lose consciousness, falling, and being injured

(4) Relief requested: (State briefly exactly what you want the court to do for you.)

Compensatory damages

If there are more than two claims that you wish to assert, describe the additional claims using this same format on a separate sheet(s).

#### VI. Declarations

I declare under penalty of perjury that the foregoing is true and correct.

Bryan Harris  
Plaintiff's signature

March 16, 2022  
Date

I further declare under penalty of perjury that I placed this complaint in the prison's legal mail system, with the correct postage attached, on the 12 day of March, 2022.

Bryan Harris  
Plaintiff's signature

March 16, 2022  
Date